

**FIFTY-SIXTH DAY**

(Monday, April 19, 1971)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 16, 1971, was dispensed with and the Journal was approved.

**Message From the House**

Hall of the House of Representatives

Austin, Texas,  
April 19, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 16, A bill to be entitled "An Act relating to the conveyance of the exclusive right of sepulture to an unused grave, niche, or crypt in a family burial plot and the recording of the conveyance in the office of the cemetery association; amending Section 13, Chapter 340, Acts of the 49th Legislature, 1945 (Article 912a-13, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 214, A bill to be entitled "An Act relating to the student union

fee at North Texas State University; and declaring an emergency."

H. B. No. 287, A bill to be entitled "An Act relating to the term of office of Supervisors of the Bayview Municipal Utility District of Galveston County, Texas; amending Chapter 245, Acts of the 58th Legislature, 1963 (Article 8280-287, Vernon's Texas Civil Statutes), by adding Section 3A; and declaring an emergency."

H. B. No. 292, A bill to be entitled "An Act relating to the compensation of the judge of the 149th Judicial District; amending Sections 2.006 and 3.027 of the Judicial Districts Act of 1969 (Article 199a, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 306, A bill to be entitled "An Act validating special elections held under authority of Article 1154, Revised Civil Statutes of Texas, 1925, as amended, to change the form of government in cities and towns operating under the general laws, and which special elections were held on the same day as a primary election day as designated in the Election Code of the State of Texas, as amended; validating the election of city officials under the new form of government so adopted at such special elections; validating governmental proceedings; providing certain limitations as to the application of the Act; providing a nonlitigation clause; providing a saving clause; and declaring an emergency."

H. B. No. 352, A bill to be entitled "An Act relating to the salary of the judge of the Brazoria County Court of Domestic Relations; amending Section 2, Chapter 307, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 2338-19, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 387, A bill to be entitled "An Act relating to the salary of the judge of the County Court at Law of Hidalgo County; amending Subsection (a), Section 11, Chapter 25, Acts of the 52nd Legislature, 1951, as amended (Article 1970-341, Vernon's Texas Civil Statutes); and declaring emergency."

H. B. No. 438, A bill to be entitled "An Act relating to compensation for



assistants to the county superintendent in certain counties; and declaring an emergency."

H. B. No. 445, A bill to be entitled "An Act relating to compensation for assistants to the county superintendent in certain counties; and declaring an emergency."

H. B. No. 446, A bill to be entitled "An Act relating to abolishing the office of county superintendent of schools in certain counties; and declaring an emergency."

H. B. No. 449, A bill to be entitled "An Act relating to the annual salary of the assistant to the county superintendent in certain counties; and declaring an emergency."

H. B. No. 451, A bill to be entitled "An Act relating to the salaries of certain county officials in certain counties; amending Chapter 427, Acts of the 54th Legislature, 1955, as amended (Article 3883i, Vernon's Texas Civil Statutes), by adding a Section 1C; and declaring an emergency."

H. B. No. 468, A bill to be entitled "An Act including within the definition of peace officers in the Code of Criminal Procedure police officers of state-supported institutions of higher education, including public junior colleges, who have been commissioned pursuant to statutes, and police officers employed by the State Board of Control, who have been commissioned pursuant to statute; amending Article 2.12, Texas Code of Criminal Procedure, 1965, as amended, and declaring an emergency."

H. B. No. 479, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Pine Bough Public Utility District'; etc.; and declaring an emergency."

H. B. No. 480, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Glenn Hollow Public Utility District'; etc.; and declaring an emergency."

H. B. No. 481, A bill to be entitled "An Act creating and establishing a conservation and reclamation district

under Article 16, Section 59, Constitution of Texas, known as 'Pine Forest Public Utility District'; etc.; and declaring an emergency."

H. B. No. 505, A bill to be entitled "An Act relating to and fixing the minimum and maximum salaries of the official shorthand reporters for the 51st and 119th Judicial Districts of Texas; and declaring an emergency."

H. B. No. 508, A bill to be entitled "An Act relating to the salaries of certain officers in certain counties; amending Chapter 427, Acts of the 54th Legislature, 1955, as amended (Article 3883i, Vernon's Texas Civil Statutes), by adding a Section 2E; and declaring an emergency."

H. B. No. 564, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article XVI, Section 59, Constitution of Texas, known as 'Irving Flood Control District of Dallas County, Texas'; etc.; and declaring an emergency."

H. B. No. 572, A bill to be entitled "An Act amending Section 8, Chapter 152, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 1970-126a, Vernon's Texas Civil Statutes); relating to the salary of the Judge of the County Court of Jefferson County at Law No. 3; providing for severability; repealing all laws in conflict; and declaring an emergency."

H. B. No. 592, A bill to be entitled "An Act providing for the compensation to county attorneys in certain counties; prohibiting certain county attorneys from engaging in private practice of law; and declaring an emergency."

H. B. No. 615, A bill to be entitled "An Act exempting totally disabled veterans from certain motor vehicle registration fees; amending Section 5, Chapter 88, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-5, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 625, A bill to be entitled "An Act abolishing the office of county superintendent in certain counties and transferring the duties to the county judge; and declaring an emergency."



H. B. No. 635, A bill to be entitled "An Act relating to additional classes of counties that are to use jury wheels in selecting jurors; amending Article 2094, Revised Civil Statutes, 1925, as amended; and declaring an emergency."

H. B. No. 637, A bill to be entitled "An Act relating to exempting from the franchise tax certain corporations providing homes for certain elderly people; amending Article 12.03, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 667, A bill to be entitled "An Act relating to the compensation of the members and clerk of the Victoria County Juvenile Board; amending Sections 2 and 3, Chapter 187, Acts of the 57th Legislature, Regular Session, 1961 (Article 5139JJ, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 676, A bill to be entitled "An Act including certain land in Sabine and San Augustine Counties under the Uniform Wildlife Regulatory Act; providing for that land a special archery season for both sexes of deer and javelina and providing a special nonresident archery license; providing for the taking of javelina at any time except by bow and arrow; amending Section 1 and adding a Subsection (o) to Section 13, Uniform Wildlife Regulatory Act, as amended (Article 978j-1, Vernon's Texas Penal Code); repealing Sections 2, 3, 4, 5, 6, and 7, Chapter 646, Acts of the 59th Legislature, Regular Session, 1965; and declaring an emergency."

H. B. No. 691, A bill to be entitled "An Act relating to compensation of certain county and district officials in certain counties; amending Chapter 427, Acts of the 54th Legislature, Regular Session, 1955, as amended (Article 3883i, Vernon's Texas Civil Statutes) to add a new Section 3A; and declaring an emergency."

H. B. No. 692, A bill to be entitled "An Act prescribing the maximum salary to be paid to the Official Short-hand Reporters for the 24th and 188th Judicial Districts; and declaring an emergency."

H. B. No. 729, A bill to be entitled "An Act amending Section 1 of Chapter 389, Acts of the 60th Legislature, Regular Session, 1967, codified as Article 931a, Vernon's Penal Code to make permanent a temporary size limit on redfish; and declaring an emergency."

H. B. No. 738, A bill to be entitled "An Act relating to prohibiting a person from hunting or killing white-winged doves unless he has in his possession a white-winged dove stamp issued to him, providing the issuance of the stamp and the payment, allocation, and use of stamp fees; providing a penalty; and declaring an emergency."

H. B. No. 752, A bill to be entitled "An Act relating to making certain changes in the motor fuel tax concerning authorizing certain tax-free sales without authorization of the comptroller, increasing the allowance for evaporation and other handling losses and allocating the allowance, prohibiting certain tax-free sales without there being written notification of the purchaser's bond and requiring the comptroller to issue such notifications on request, providing tax liability for certain sales without proper notification from the comptroller, raising the amount of bond that may be required, requiring reports from persons not giving additional bond, giving certain certificates of deposit in lieu of bond, and making other conforming amendments; amending Subdivisions (10) and (13) of Article 9.01, Section (2) of Article 9.02, Article 9.05, Section (2) of Article 9.06, and Sections (1), (2), and (4) of Article 9.07, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 785, A bill to be entitled "An Act relating to an increased maintenance tax in certain school districts; and declaring an emergency."

H. B. No. 797, A bill to be entitled "An Act amending Sections 9, 12, and 15 of Chapter 315, Acts of the 49th Legislature, Regular Session, as amended by Chapter 289, Acts of the 57th Legislature, Regular Session, 1961; increasing the maximum annual permit fee to \$20.00; increasing the permit reinstatement fee to \$10.00;



increasing the maximum fee to be charged for the issuance of a reciprocal certificate of 'Certified Public Accountant' to \$75.00; increasing the maximum fee to be charged for the first examination of a candidate for certification as a 'Certified Public Accountant' to \$75.00; increasing the maximum fee to be charged for subsequent examinations of a candidate for certification as a 'Certified Public Accountant' to \$30.00 for accounting practice and to \$15.00 for each of theory of accounts, auditing, and commercial law; containing other provisions; providing a severability clause; and declaring an emergency."

H. B. No. 837, A bill to be entitled "An Act relating to the salary and expenses of the Criminal District Attorney of Brazoria County and his First Assistant and other employees; amending Section 4, page 409, Chapter 118, Acts of the 53rd Legislature, Regular Session, 1953, as amended by Section 4, page 1037, Chapter 513, Acts of the 59th Legislature, Regular Session, 1965; amending Section 5, page 409, Chapter 118, Acts of the 53rd Legislature, Regular Session, 1953; and declaring an emergency."

H. B. No. 900, A bill to be entitled "An Act amending Subsection (c) of Section 140, Chapter 421, Acts of the 50th Legislature, 1947, as amended (Article 6701d, Vernon's Texas Civil Statutes); relating to requiring reinspection of a motor vehicle, trailer, semitrailer, pole trailer, or mobile home after certain damage to the vehicle; and declaring an emergency."

H. B. No. 936, A bill to be entitled "An Act relating to the naming of roads, bridges, streets, and highways in the state highway system by local and county governments; and declaring an emergency."

H. B. No. 948, A bill to be entitled "An Act authorizing the Parks and Wildlife Commission to quitclaim the state's interest in certain lands situated in Goliad State Park to the County of Goliad and the City of Goliad; describing the lands to be conveyed; specifying the consideration for the conveyance; and declaring an emergency."

H. B. No. 1123, A bill to be entitled "An Act relating to the discharge of fire-arms in Liberty and Chambers

counties; providing penalties; and declaring an emergency."

H. B. No. 1125, A bill to be entitled "An Act relating to the use of nets in Chambers County; providing penalties; amending Chapter 18, Acts of the 56th Legislature, 2nd Called Session, 1959; and declaring an emergency."

H. B. No. 1156, A bill to be entitled "An Act removing the catch or retention limit on crappie or white perch in Leon County; and declaring an emergency."

H. B. No. 1162, A bill to be entitled "An Act abolishing the offices of county superintendent and ex-officio county superintendent and the county school board in certain counties; and declaring an emergency."

H. B. No. 1175, A bill to be entitled "An Act relating to the abolition of the office of county superintendent in certain counties; and declaring an emergency."

H. B. No. 1295, A bill to be entitled "An Act validating certain actions heretofore taken by the Board of Regents of Texas Tech University and the University of Texas System with reference to certain designated institutions of higher education; providing for severability; repealing laws in conflict; and declaring an emergency."

H. B. No. 1296, A bill to be entitled "An Act relating to the operation, situs, and maintenance of The University of Texas of the Permian Basin; amending Section 4 of Chapter 459, Acts of the 61st Legislature, Regular Session, 1969 (Article 2606c-4, Vernon's Texas Civil Statutes); providing for severability; repealing laws in conflict; and declaring an emergency."

H. B. No. 1323, A bill to be entitled "An Act relating to transfer of the Kimble County Adjunct of Texas A&M University to Texas Tech University; and declaring an emergency."

H. B. No. 1610, A bill to be entitled "An Act validating all school districts, including all types of junior and regional college districts, together with the boundaries and names thereof; validating the creation, abolition, and conversion of all such school districts, and all changes in boundaries in all such school districts; validating the



election of certain members to boards of trustees; validating the annexation of territory and the divorcement or separation from municipal control in all municipally controlled school districts; validating all bonds, bond taxes, maintenance taxes, and bond assumptions and the elections authorizing same, of and in all school districts, including all types of junior and regional college districts; providing this Act shall not be construed as validating any boundary change made or attempted to be made by any ex parte order, resolution, or other act of the board of trustees of any school district; providing that this Act shall have no application to litigation now pending questioning the validity of matters hereby violated, or to proceedings now pending before the county boards of trustees, State Commissioner of Education, or the State Board of Education, or to any district which has heretofore been declared invalid by certain courts, or to districts which may have been established and later returned to original status, providing such litigation or proceedings are ultimately determined against the validity of matters hereby validated; providing a saving clause; and declaring an emergency.

H. C. R. No. 61, Establishing policies for guidelines for state agencies and institutions relating to urban and rural problems.

H. C. R. No. 67, Relating to investments by the Texas Pension and Retirement Systems.

H. C. R. No. 114, In memory of Judge Marvin B. Simpson, Jr.

H. C. R. No. 115, Commending Mr. Frank E. Medina for his numerous accomplishments and contributions in both private and professional life.

S. B. No. 49, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official shorthand reporter for the 81st Judicial District; amending Section 1, Chapter 333, Acts of the 59th Legislature, Regular Session, 1965 (Art. 2326j—44 Vernon's Texas Civil Statutes); and declaring an emergency."

(With amendments.)

S. B. No. 50, A bill to be entitled "An Act amending Section 1 of Chapter 143, page 419, Acts of the 58th Legislature, which is codified as Article 326k-48, Vernon's Texas Civil Statutes, to supplement the salary of the District Attorney of the 81st Judicial District; and declaring an emergency."

S. B. No. 387, A bill to be entitled "An Act relating to research and experimentation for the purpose of determining the effects of marijuana use; providing for immunity from prosecution in certain cases; prescribing penalties; and declaring an emergency."

S. B. No. 97, A bill to be entitled "An Act amending Section 4.23 of the Texas Education Code, Chapter 889, Acts of the Regular Session of the 61st Legislature; and declaring an emergency."

S. B. No. 215, A bill to be entitled "An Act amending Section 5, Article 3883i, Vernon's Revised Texas Civil Statutes, relating to salaries of certain county officials; and declaring an emergency."

(With amendment.)

H. B. No. 556, A bill to be entitled "An Act effecting reform in the trial of civil actions; establishing a system of comparative negligence and abolishing contributory negligence as a bar to recovery under certain conditions in civil suits by providing for recovery of damages on the basis of comparison of causal negligence; providing for the necessary procedures relative to instructions to the jury by the court of the law; and declaring an emergency."

S. B. No. 676, A bill to be entitled "An Act relating to the places for the holding of meetings of the Good Neighbor Commission and to the financing and functions of the Commission; amending Section 4, Chapter 435, Acts of the 50th Legislature, 1947, as amended (Article 4101-2, Vernon's Texas Civil Statutes); and declaring an emergency."

S. B. No. 909, To provide for the selection of Death Benefit Plan by qualified members; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk, House of Representatives



**Report of Standing Committee**

By unanimous consent, Senator Connally submitted the following report for the Committee on Parks and Wildlife:

H. B. No. 290.

**Senate Bills on First Reading**

Senator Brooks moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit the introduction at this time, the following bills, the provisions of which were explained:

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The following bills were then introduced, read first time and referred to the Committee indicated:

By Senator Brooks:

S. B. No. 922, A bill to be entitled "An Act relating to the application of the Texas Non-Profit Corporation Act to corporations engaged in providing publications services to persons registered in state-supported institutions of higher education; amending Article 10.04, Texas Non-Profit Corporation Act, as amended (Article 1396-10.04, Vernon's Texas Civil Statutes), by adding Section H; repealing inconsistent laws; and declaring an emergency."

To Committee on Jurisprudence.

By Senator Jordan:

S. B. No. 923, A bill to be entitled "An Act creating the 'Redevelopment Housing Corporation'; providing for the selection and duties of a corporate board and staff; specifying the

powers of the corporation; authorizing the corporation to borrow money and issue bonds or other evidence of indebtedness for such money; authorizing investment in said bonds or evidence of debt by fiduciaries and State retirement and pension funds; authorizing the corporation to designate, with the consent of the cities, certain areas within the cities as inadequate or substandard housing areas; authorizing the corporation to acquire, with the approval of the cities, such areas by eminent domain, providing a special procedure for eminent domain, rule of damages, and appeal in such cases; authorizing the corporation to ask for, give notice of, and receive bids for the clearance of inadequate and substandard housing from such areas and reconstruction or redevelopment with adequate housing, under plans made jointly with the cities; specifying fees and charges to be made by the corporation; authorizing the corporation to enter into contracts for clearing of areas of inadequate housing and erection within the areas of adequate housing pursuant to plans approved by the cities; providing for suspension of building codes by cities with reference to housing installed or constructed under such contracts; providing for the management and control of the renting, leasing, sale, occupancy or other disposition of such redevelopment housing units by the corporation, the city, or other agency authorizing the corporation to enter into contracts and agreements with private corporations and with the departments, agencies, boards, public corporations, municipal corporations, and political subdivisions of this State; and of the United States; providing for assignment of welfare, pension and other benefits to pay rent by occupants of such housing units; providing for suspension of the anti-trust laws of this State as to such contracts; providing a standard for ad valorem taxation of redevelopment housing units; authorizing all departments, boards, or agencies of this State, or public or municipal corporations or political subdivisions of this State to convey land and real property to the corporation without notice, advertisement, or bid; authorizing city councils to delegate their duties under this Act; specifying definitions of certain terms and the applicability of the Act; pro-



viding for severability of the provisions of the Act; and providing for repeal of certain laws or parts of laws; and declaring an emergency."

To Committee on State Affairs.

By Senator Snelson:

S. B. No. 924, A bill to be entitled "An Act relating to the election of board members of the Plateau Underground Water Conservation and Supply District; amending Subsection (a), Section 10 and Section 42, Plateau Underground Water Conservation and Supply District Act (Article 8280-305, Vernon's Texas Civil Statutes); and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Mauzy:

S. B. No. 925, A bill to be entitled "An Act relating to the status of an area annexed to a wet justice precinct in certain counties; amending Section 23, Article I, Texas Liquor Control Act, as amended (Article 666-23, Vernon's Texas Penal Code); and declaring an emergency."

To Committee on Jurisprudence.

By Senator Christie:

S. B. No. 926, A bill to be entitled "An Act validating notes heretofore authorized to be issued and sold for cash, or attempted to be issued and sold for cash by all counties in the State whose commissioners court has by order declared that such funds are necessary to the continued operations of the county for its public purposes, and validating all orders of the commissioners courts of such counties pertaining to such notes and all orders by such commissioners courts levying and assessing taxes to provide for the payment of interest and principal of such notes, authorizing the delivery of the notes herein validated to the purchasers thereof; authorizing the refunding of the same by duly adopted bond order, providing a no-litigation clause; providing that this Act shall not apply to counties whose population is 350,000 or more according to the latest federal census; and declaring an emergency."

To Committee on Jurisprudence.

By Senator Christie:

S. B. No. 927, A bill to be entitled "An Act relating to the composition of the Board of Trustees of the Fire-

men, Policemen and Fire Alarm Operators Pension Fund in certain cities; providing for the modification of benefits and eligibility requirements of the fund by the Board of Trustees; amending Section 1, Chapter 101, Acts of the 43rd Legislature, 1st Called Session, 1933, as amended (Article 6243b, Vernon's Texas Civil Statutes); and adding a Section 10A; and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Christie:

S. B. No. 928, A bill to be entitled "An Act amending Section 4(d) of Chapter 118, Acts of 52nd Legislature, Regular Session, 1951, as amended by Section 1 of Chapter 380, Acts of the 58th Legislature, Regular Session, 1963; and amending Section 5(a) of Chapter 118, Acts of the 52nd Legislature, Regular Session, 1951, as amended by Section 3 of Chapter 47, Acts of the 55th Legislature, Regular Session, 1957, so as to authorize the Board of Vocational Nursing Examiners to delegate the power to hold the Vocational Nursing Examination; and declaring an emergency."

To Committee on Public Health.

By Senator Harrington:

S. B. No. 930, A bill to be entitled "An Act relating to uniform reciprocal enforcement of support; amending and revising Chapter 679, Acts of the 59th Legislature, Regular Session, 1965 (Article 2328b-4, Vernon's Texas Civil Statutes); and declaring an emergency."

To Committee on Interstate Cooperation.

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Hall:

S. B. No. 929, A bill to be entitled "An Act relating to the creation, establishment, maintenance, and operation of the Grayson County Airport Authority pursuant to Article IX, Section 12, of the Texas Constitution; providing a severability clause; and declaring an emergency."

To Committee on County, District and Urban Affairs.



**Message From the Governor**

The following message received from the Governor was read and referred to Committee on Nominations:

Austin, Texas,  
April 19, 1971.

To the Senate of the Sixty-Second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be District Attorney of the 66th Judicial District until the next General Election and until his successor shall be duly elected and qualified: To be effective May 1, 1971: Robert G. Dohoney, of Hillsboro, Hill County.

Respectfully submitted,  
PRESTON SMITH  
Governor of Texas.

**Communication From Attorney General**

The following communication received from the Attorney General was read and referred to the Committee on Nominations:

December 29, 1969.

Dear Mr. Secretary:

Acting pursuant to Article 5421C (3), Revised Civil Statutes of Texas, I hereby appoint Mr. Stuart Long of Austin, Texas, as my representative to the School Land Board, to replace Mr. William S. Lott of Georgetown.

Cordially yours,  
CRAWFORD C. MARTIN  
Attorney General

**Motion in Writing**

Senator Hall submitted the following Motion in Writing:

Hon. Ben Barnes, President of the Senate.

Notice is hereby given of the intent to hold a Local and Uncontested Calendar on Thursday, April 22, 1971 at 9:15 A.M.

HALL  
Chairman, Local and Uncontested Calendar

The Motion in Writing was read and was adopted.

**House Bills on First Reading**

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 166, To Committee on Public Health.

H. B. No. 514, To Committee on Education.

H. B. No. 516, To Committee on County, District and Urban Affairs.

H. B. No. 519, To Committee on Education.

H. B. No. 581, to Committee on Finance.

H. B. No. 754, To Committee on State Affairs.

**Senate Bill 183 With House Amendments**

Senator Bates called S. B. No. 183 from the President's table for consideration of the House amendments to the bill.

The President Pro Tempore laid the bill and the following House amendments before the Senate:

**Amendment No. 1**

Amend S. B. 183, First Printing, by striking Section e, Line 27, Page 2, substituting in lieu the following:

"(e) School bus. Every motor vehicle that complies with the color and identification requirements set forth in the most recent addition of standards as produced and sponsored by the National Commission on Safety Education of the National Education Association, Washington, D. C. and is being used to transport children to or from school or in connection with school activities, but not including buses operated by common carriers in urban transportation of school children."

**Amendment No. 2**

Amend S. B. 183, First Printing, by striking Section (g) on line 35 of page 2 of same and substituting the following in lieu thereof to read as follows:

"(g) Implement of husbandry. Every vehicle designed and adapted for use as a farm implement, machinery or tool as used in tilling the soil, but shall not include any passenger car or truck."



**Amendment No. 3**

Amend S. B. 183, First Printing, page 6, line 27, by deleting Section (c) on page 27 and all of Section (d) on line 32.

**Amendment No. 4**

Amend S. B. 183, Second Printing, page 8, line 37, by striking Section 50A and substituting in lieu thereof the following:

"Section 50A. Homicide by vehicle. (a) Whoever shall unlawfully and unintentionally (with a conscious disregard for the rights of others) cause the death of another person while engaged in the violation of any state law or municipal ordinance applying to the operation or use of a vehicle or street car or to the regulation of traffic shall be guilty of homicide when such violation is the proximate cause of said death.

**Amendment No. 5**

Amend S. B. 183, page 38, line 2, by changing the period after the word seat, substituting a semicolon and adding the following words:

"Provided, however, it shall be lawful for a motor vehicle specially designed as a mobile unit used in connection with a licensed television station to have television type receiving equipment so located that the viewer or screen is visible from the driver's side but said receiver shall never be used unless said motor vehicle is stopped."

**Amendment No. 6**

Amend S. B. 183, Second Printing, page 43, by deleting sub-section (b) on line 1, and changing sub-section (c) on line 5 to read sub-section (b).

**Amendment No. 7**

Amend Senate Bill 183 by adding a new Section 98 to read as follows, and renumbering the remaining sections:

Section 98. Chapter 421, Acts of the 50th Legislature, 1947, as amended (Article 6701d, Vernon's Texas Civil Statutes), is amended by adding a new Section 188 to read as follows:

"Section 188. Cutting Across Certain Property Prohibited." No person driving a vehicle shall cross a sidewalk or drive through a driveway,

parking lot, or business or residential entrance without bringing the vehicle to a complete stop. No person driving a vehicle shall cross, drive in or on such sidewalks, driveways, parking lots or entrances at an intersection for the purpose of making either a right or left turn from one street or highway to another street or highway."

**Amendment No. 8**

Amend Senate Bill 183 by adding a new Section 98 to read as follows, and renumbering the remaining sections:

Section 98. Chapter 421, Acts of the 50th Legislature, 1947, as amended (Article 6701d, Vernon's Texas Civil Statutes), is amended by adding a new Section 188 to read as follows:

"Section 188. Cutting Across Certain Property Prohibited. No person driving a vehicle shall cross a sidewalk or drive through a driveway, parking lot, or business or residential entrance at an intersection for the purpose of making either a right or a left turn from one street or highway to another street or highway."

**Committee Amendment No. 9**

Amend S. B. 183, page 5, line 29 by striking all after the word "highway" and substituting in lieu thereof "and other public places".

**Amendment No. 10**

Amend Senate Bill 183, Section 19, by striking the language on line 46, "or shall be imprisoned" and all the language on lines 47 and 48 and substituting therefor the following language: "provided, however, that such person may be tried only upon indictment by a grand jury and may be tried only in the county where the violation occurred."

**Amendment No. 11**

Amend Senate Bill 183 by adding a new Section 99 to read as follows and renumbering the remaining Sections:

"Sec. 99. Sec. 36, Chap. 421, Acts of the 50th Leg., 1947, as amended, (Art. 6701d, Vernon's Texas Civil Statutes), is amended to read as follows:

"Display of unauthorized signs, signals or markings

"Sec. 36. (a) No person shall place, maintain or display upon or in view



of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of an official traffic-control device or any railroad sign or signal.

"(b) No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising.

"(c) No person shall place or maintain a flashing light or flashing electric sign of any kind or color within one thousand (1,000) feet of any intersection.

"(d) This Section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

"(e) In addition to being a misdemeanor as set out in Section 143, every such prohibited sign, signal, light or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice."

#### Floor Amendment No. 12

Amend Senate Bill No. 183, Second Printing, by striking Section 86, Sub Section (a), Numeral 3 and lines 36, 37, 38, 39, page 14.

#### Floor Amendment No. 13

Amend S. B. No. 183, Second Printing, by striking Section 24, appearing on page 10, lines 15-29, and substituting the following:

Sec. 24. Section 57, Chapter 421, Acts of the 50th Legislature, 1947 (Article 6701d, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 57. (a) No vehicle shall at any time be driven to the left side of the roadway under the following conditions:

"1. Where sight restriction is such that the section of highway being traversed lies within a no passing zone as determined and marked in accordance with Section 58;

"2. When approaching within one hundred (100) feet of or passing through any intersection or railroad grade crossing within the limits of an incorporated city or town;

"3. Outside the limits of an incorporated city or town when approaching within one hundred (100) feet of or passing through any intersection or railroad grade crossing and the intersection or crossing is indicated by signs or markings in accordance with Section 58;

"4. When approaching within one hundred (100) feet of any bridge, viaduct, or tunnel.

"(b) The foregoing limitations shall not apply upon a one-way roadway, nor to any driver of a vehicle turning left into or from an alley, private road, or driveway."

#### Amendment No. 14

Amend S. B. 183 first printing, by amending subsection "b" of Section "51" of Section 20, of the bill, on page 9 at line 1 by deleting all of such subsection "b" and substituting the following:

"(b) Every person convicted of reckless driving shall be punished upon such conviction by a fine of not more than \$200, or by imprisonment in the county jail for a period of not more than 30 days, or by both such fine and imprisonment."

#### Amendment No. 15

Amend second printing of S. B. 183 by adding the words "inside or" after the word "highway" on line 7 page 18.

#### Amendment No. 16

Amend S. B. No. 183, page 3, Sec. 4, line 37 by adding:  
"except in incorporated cities."

#### Amendment No. 17

Amend second printing of S. B. 183, new Section 99, Section (c) by striking the period and adding the following:

"unless a permit is granted by the State Highway Commission for such flashing light or electric sign."

#### Amendment No. 18

Amend S. B. 183, first printing, by amending "Section 50" of Section 18 of the bill, in Subsection "(b)" at line



28, page 8 by deleting the word "one" and number "1" and substituting the following word "two" and number "2," and further at line 32, deleting the word "one" and number "1" and substituting the word "two" and number "2."

#### Amendment No. 19

Amend Senate Bill 183 by striking all of Section 41 thereof.

The House amendments were read.

Senator Bates moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

#### Yeas—26

Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Bridges	Mauzy
Brooks	McKool
Connally	Moore
Creighton	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Wilson
Hightower	Word

#### Nays—5

Aikin	Patman
Blanchard	Watson
Christie	

#### Conference Committee on House Bill 113

Senator Wallace called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 113 and moved that the request be granted.

The motion prevailed.

The President Pro Tempore asked if there were any motions to instruct the Conference Committee on H. B. No. 113 before appointment.

There were no motions offered.

Accordingly, the President Pro Tempore announced the appointment by the President of the following conferees on the part of the Senate on the bill: Senators Wallace, Jordan, Mauzy, Harrington and Kennard.

(President in Chair.)

#### Motion to Place Committee Substitute Senate Bill 191 on Second Reading

Senator Moore moved to suspend the regular order of business and take up C. S. S. B. No. 191 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

#### Yeas—12

Beckworth	Jordan
Bernal	Kennard
Connally	Mauzy
Hall	Moore
Harrington	Schwartz
Herring	Wilson

#### Nays—18

Aikin	Kothmann
Bates	McKool
Blanchard	Patman
Brooks	Ratliff
Christie	Sherman
Creighton	Snelson
Grover	Wallace
Harris	Watson
Hightower	Word

#### Present—Not Voting

Bridges

#### Motion to Place Committee Substitute Senate Bill 77 on Second Reading

Senator Wilson moved to suspend the regular order of business and take up C. S. S. B. No. 77 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

#### Yeas—18

Aikin	Kennard
Bates	Mauzy
Bernal	McKool
Bridges	Moore
Brooks	Patman
Christie	Schwartz
Connally	Wallace
Harrington	Wilson
Jordan	Word

#### Nays—12

Beckworth	Creighton
Blanchard	Grover



Hall	Ratliff
Harris	Sherman
Hightower	Snelson
Kothmann	Watson

Present—Not Voting

Herring

#### Senate Bill 635 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 635, A bill to be entitled "An Act authorizing the District Attorney of the 22nd Judicial District of Texas to employ certain necessary employees; providing for setting of salaries and funding; providing authority for payment of necessary expenses of District Attorney's office; providing for bonding and necessary qualifications; and providing for an emergency."

The bill was read second time and passed to engrossment.

(President Pro Tempore in Chair.)

#### Senate Bill 635 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 635 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

#### Senate Joint Resolution 42 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 42, Proposing an amendment to Section 7, Article XI of the Constitution of the State of Texas; amending Section 7 to provide that certain counties and cities bordering on the Gulf of Mexico may levy a tax to pay for bonds issued for the construction of sea walls and breakwaters upon the vote of the majority of the resident property taxpayers voting in an election.

The resolution was read second time and passed to engrossment.

#### Senate Joint Resolution 42 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 42 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Bridges
Bates	Brooks
Beckworth	Christie
Bernal	Connally
Blanchard	Creighton



Hall	Moore
Harrington	Patman
Harris	Ratliff
Herring	Schwartz
Hightower	Sherman
Jordan	Snelson
Kennard	Wallace
Kothmann	Watson
Mauzy	Wilson
McKool	Word

Nays—1

Grover

The President Pro Tempore then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Nays—1

Grover

#### Bill and Resolution Signed

The President Pro Tempore announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

S. C. R. No. 79.

S. B. No. 909.

#### Committee Appointed

The President Pro Tempore announced the appointment by Senator Aikin of the following sub-committee of the Finance Committee as a Committee on Claims: Senators Herring, Chairman; Brooks, Jordan, Sherman and Snelson.

#### Senate Bill 80 on Second Reading

On motion of Senator Jordan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 80, A bill to be entitled "An Act creating a Texas Department of Community Affairs; establishing its duties and responsibilities; providing for personnel; authorizing the governor to transfer employees, functions, and duties to the department; providing for the loan of governmental employees to the department; directing state agencies to cooperate with the department; and declaring an emergency."

The bill was read second time.

Senator Jordan offered the following Committee Amendment to the bill:

Amend Sec. 5, Senate Bill 80, by deleting from the second sentence the phrase "and until the appointment of the director's successor" so that the second sentence in Sec. 5, Senate Bill 80 will read as follows:

"... The director shall be appointed by the Governor with the advice and consent of the Senate and shall serve at the pleasure of the Governor during the Governor's term of office."

The Committee Amendment was read and was adopted.

Senator Jordan offered the following Committee Amendment to the bill:

Amend Subsection (3), Section 2, Senate Bill 80, to read as follows:

"(3) 'Local government' means a county; an incorporated municipality; a special district; any other legally constituted political subdivision of the state; or a combination of political subdivisions."

The Committee Amendment was read and was adopted.

Senator Jordan offered the following Committee Amendment to the bill:

Amend Senate Bill 80 by adding a new Section 7 as follows:

"Sec. 7. SPECIAL ADVISORY COUNCILS. The Governor may, with the advice of the director, from time



to time appoint other special advisory councils to assist in basic policy formulation for the department or to advise on technical aspects of certain programs the department may administer. Special advisory councils may be dissolved by the Governor upon completion of their purpose."

The Committee Amendment was read and was adopted.

Senator Jordan offered the following Committee Amendment to the bill:

Amend Senate Bill 80 by renumbering Sections 7 through 14, inclusive, to read in sequence; Sections 8 through 15, inclusive, so as to leave a place in Senate Bill 80 for a new Section 7.

The Committee Amendment was read and was adopted.

Senator Jordan offered the following Committee Amendment to the bill:

Amend Sec. 6, Senate Bill 80, by striking all of Sec. 6 and substituting the following in lieu thereof:

"Sec. 6. ADVISORY COUNCIL ON COMMUNITY AFFAIRS. There is hereby established in the Department of Community Affairs an Advisory Council on Community Affairs of thirteen (13) members, which shall consist of the director as chairman ex officio, and twelve (12) other members appointed by the Governor with the advice and consent of the Senate, as follows:

"(1) One member shall be the mayor of a municipality of this state having a population of less than 20,000 inhabitants at the time of his or her appointment;

"(2) One member shall be the mayor of a municipality of this state having a population of not less than 20,000 nor more than 249,999 inhabitants at the time of his or her appointment;

"(3) One member shall be the mayor of a municipality of this state having a population of 250,000 or more inhabitants at the time of his or her appointment;

"(4) Five (5) members shall be appointed at large from among the citizens of this state;

"(5) One (1) member shall be appointed from among the membership of each of the four (4) following organizations:

"(a) Texas Association of School Boards;

"(b) Texas Association of Counties;

"(c) Texas Municipal League;

"(d) A duly constituted regional planning commission in this state.

"Any elected or appointed official of any local government who shall be appointed as a member of the Advisory Council on Community Affairs or as a member of any special advisory council as provided for in Section 7 of this Act shall perform his duties as a member of such advisory council or councils as an additional or ex officio duty required of him in his other official capacity, and such service on such advisory council or councils shall not be construed as dual office holding. Of the members first to be appointed, six (6) shall be appointed for a term of office to expire on January 31, 1972, and six (6) shall be appointed for a term of office to expire on January 31, 1973. Successors of all members first appointed shall be for two-year terms. Vacancies on the Advisory Council on Community Affairs, other than by expiration of terms of office, shall be filled for the unexpired term. All members of the Council shall serve without compensation but shall be reimbursed for their actual expenses in attending the meetings of the Council and in the performance of their other duties. It shall be the duty of the Council to consult with and advise the director with respect to the affairs and problems of local government and work of the department. The Council shall meet at least three times annually at the call of the director and at such other times as the Council shall determine, the time and place of such other meetings to be fixed by resolution of the Council. It shall be the responsibility of the department to furnish such information, equipment and staff as is necessary to implement the work of the Council with the limits of appropriations for the purpose."

The Committee Amendment was read and was adopted.

On motion of Senator Jordan and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.



## Record of Votes

Senators Creighton and Moore asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

## Senate Bill 80 on Third Reading

Senator Jordan moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 80 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Patman
Brooks	Ratliff
Christie	Schwartz
Connally	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Herring	Wilson
Hightower	Word

## Nays—3

Creighton	Moore
Harris	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—27

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Patman
Brooks	Schwartz
Christie	Sherman
Connally	Snelson
Grover	Wallace
Hall	Watson
Harrington	Wilson
Herring	Word
Hightower	

## Nays—4

Creighton	Moore
Harris	Ratliff

## Message From the House

Hall of the House of Representatives

Austin, Texas,  
April 19, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 1458 by vote of 133 ayes, 4 noes.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

## Senate Bill 215 with House Amendments

Senator Herring called S. B. No. 215 from the President's table for consideration of the House amendments to the bill.

The President Pro Tempore laid the bill and the following House amendments before the Senate:

## Committee Amendment No. 1

Amend Senate Bill No. 215 by striking the phrase "provided, however, that no salary shall be set at a figure lower than that actually paid on the effective date of this Act," which appears in the quoted Section 5 in Section 1 of the bill, and placing a period at the conclusion of the remaining portion of that Section.

## Committee Amendment No. 2

Amend S. B. No. 215, First House Printing, by deleting the period on line 42 and inserting the following:

"and no county or district official named in this Act may receive more than a total of Twenty-two Thousand, Five Hundred Dollars (\$22,500) from county funds as salary or combination of salaries for any one fiscal year."

The House amendments were read.

Senator Herring moved that the Senate do not concur in the House



amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President Pro Tempore asked if there were any motions to instruct the Conference Committee on S. B. No. 215 before appointment.

There were no motions offered.

Accordingly, the President Pro Tempore announced the appointment by the President of the following conferees on the part of the Senate on the bill: Senators Herring, Creighton, Mauzy, Jordan and Brooks.

#### Senate Resolution 1004

Senator Aikin offered the following resolution:

Whereas, It is a pleasure and a privilege for the members of the Senate to pay tribute to Mrs. Minnie Meier on the occasion of her birthday; and

Whereas, "Miss Minnie" has graced the Senate Chamber with her friendly manner and charming smile since 1949 when she was first elected to the position of Journal Clerk; and

Whereas, Prior to her work in the Senate, she served two terms, 1945 and 1947, in the House of Representatives as Enrolling Clerk; and

Whereas, She has performed the exacting duties of her office with precision and dedication; now, therefore, be it

Resolved, That the Senate of the 62nd Legislature, expresses sincere appreciation to Mrs. Minnie Meier for the years of service she has given to her State; and convey to her our best wishes for many more years of happiness and health; and, be it further

Resolved, That a copy of this Resolution, under the Seal of the Senate, be prepared for her as an expression of our appreciation.

AIKIN  
HERRING  
HIGHTOWER

Signed—Lieutenant Governor Ben Barnes; Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore,

Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Hall and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Aikin the resolution was adopted.

#### Senate Joint Resolution 20 With House Amendments

Senator Watson called S. J. R. No. 20 from the President's table for consideration of the House amendments to the resolution.

The President Pro Tempore laid the resolution and the following House amendments before the Senate:

#### Amendment No. 1

Amend second printing of S. J. R. No. 20 by adding on page 1, line 45, after the word "Districts," the following:

"A member of the legislature shall not be eligible to serve as a Director of a Soil and Water Conservation District."

#### Amendment No. 2

Amend S. J. R. No. 20 by striking that part of the first sentence of Section 3, on lines 19 and 20, and the date on line 21, and substitute the following in lieu thereof:

"The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1972."

The House amendments were read.

Senator Watson moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Brooks
Bates	Christie
Beckworth	Connally
Blanchard	Creighton
Bridges	Grover



Hall	Patman
Harrington	Ratliff
Harris	Schwartz
Herring	Sherman
Hightower	Snelson
Jordan	Wallace
Kennard	Watson
Kothmann	Wilson
McKool	Word
Moore	

Nays—2

Bernal	Mauzy
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**Senate Bill 92 on Second Reading**

Senator Creighton asked unanimous consent to suspend the regular order of business and take up S. B. No. 92 for consideration at this time.

There was objection.

Senator Creighton then moved to suspend the regular order of business and take up S. B. No. 92 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Aikin	Herring
Bates	Hightower
Beckworth	Jordan
Blanchard	Kennard
Bridges	Kothmann
Brooks	Moore
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Harris	Wilson

Nays—9

Bernal	Patman
Hall	Wallace
Harrington	Watson
Mauzy	Word
McKool	

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 92, A bill to be entitled "An Act limiting the liability of lenders in respect to loss or damage occasioned by defects in real or personal property designed, manufactured, constructed, repaired, modified or improved or the land and terrain on which it is located or the failure of

the borrower to use due care in the selection, testing, design, manufacture, construction, repair, modification or improvement of real or personal property and the land and terrain on which it is located or is a part when the proceeds of the loan are used to finance such activity; etc.; and declaring an emergency."

The bill was read second time.

Senator Creighton offered the following Committee Amendment to the bill:

Amend the caption of Senate Bill 92 to read as follows:

"Limiting the liability of lenders in respect to loss or damage occasioned by defects in real or personal property designed, manufactured, constructed, repaired, modified or improved or the land and terrain on which it is located or the failure of the borrower to use due care in the selection, testing, design, manufacture, construction, repair, modification or improvement of real or personal property and the land and terrain on which it is located or is a part when the proceeds of the loan are used to finance such activity; and declaring an emergency."

The Committee Amendment was read and was adopted.

On motion of Senator Creighton and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Record of Votes**

Senators Mauzy, McKool, Bernal, Patman, Harrington, Hall, Beckworth, Watson and Wallace asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

**Senate Concurrent Resolution 80**

Senator Mauzy offered the following resolution:

S. C. R. No. 80, Inviting the Honorable Wilbur Mills to address a Joint Session of the Texas Legislature at 11:00 o'clock a.m. on April 30, 1971.

MAUZY  
BLANCHARD



The resolution was read.

On motion of Senator Mauzy, and by unanimous consent, the resolution was considered immediately and was adopted.

**Co-Author of  
Senate Concurrent Resolution 80**

On motion of Senator Blanchard, and by unanimous consent, he will be shown as Co-author of S. C. R. No. 80.

**Memorial Resolutions**

S. R. No. 998—By Senator Watson: Memorial resolution for J. M. Tilton.

S. R. No. 999—By Senator Watson: Memorial resolution for Elmer Mundine.

S. R. No. 1000—By Senator Watson: Memorial resolution for Richard Rodgers.

S. R. No. 1001—By Senator Watson: Memorial resolution for Mrs. Lillie Mae Moore.

S. R. No. 1002—By Senator Watson: Memorial resolution for James Olian Perry.

S. R. No. 1003—By Senator Watson: Memorial resolution for Mrs. Pinksey Crunk.

**Welcome and Congratulatory  
Resolutions**

H. C. R. No. 112—Extending congratulations to The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston on its 30th anniversary.

H. C. R. No. 113—Extending congratulations to Charles Russell McNamee.

S. R. No. 990—By Senator Herring: Extending welcome to teacher and sixth grade students, St. Paul's Lutheran School.

S. R. No. 991—By Senator Kothmann: Extending welcome to teacher and students, fifth grade class, Herman Hirsch Elementary School, San Antonio.

S. R. No. 992—By Senator Brooks: Designating Kathryn Elaine Knippel as honorary page.

S. R. No. 993—By Senator Watson: Extending welcome to teachers and students, fifth grade class, Moody Elementary School of Moody.

S. R. No. 994—By Senator Watson: Extending welcome to teachers and students from Creative Civics Class, Killeen High School.

S. R. No. 995—By Senator Herring: Extending welcome to teacher and third grade class from Reilly Elementary School, Austin.

S. R. No. 996—By Senator Hall: Extending congratulations to Mrs. Al Lien, Texas Mother of 1971.

S. R. No. 997—By Senator Hall: Extending welcome to Denton National Honor Society and their sponsors.

S. R. No. 1005—By Senator Hightower: Extending welcome to Cadette Troop 50, Girl Scouts of Wichita Falls.

**Adjournment**

On motion of Senator Aikin the Senate at 12:20 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

**APPENDIX**

**Sent to Governor**

April 19, 1971

S. B. No. 909

S. C. R. No. 79

**FIFTY-SEVENTH DAY**

(Tuesday, April 20, 1971)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Connally
Bates	Creighton
Beckworth	Grover
Bernal	Hall
Blanchard	Harrington
Bridges	Harris
Brooks	Herring
Christie	Hightower